

MEMO ENDORSED**MALOOF BROWNE & EAGAN LLC**

USDC SDNY
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ELECTRONICALLY FILED
DAVID T. MALOOF
DOC #:
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*This action is placed on the
suspense calendar. The initial pretrial conference
date is vacated. If no action is taken to
restore the case to the active calendar by November
30, 2006, then the action will be dismissed without
further action or notice.*

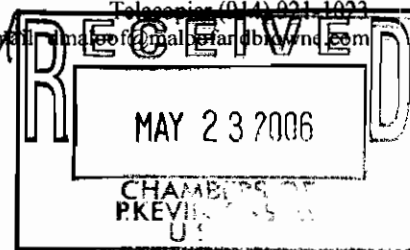
Via US Mail

Hon. P. Kevin Castel
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 2260
New York, NY 10007
Tel: (212) 805-0262

May 19, 2006

SO ORDERED,

USDS
5-23-06



Re: *Nippon Express U.S.A. (Illinois), Inc. v. M/V Chiang Jiang Bridge*
Case No: 06 Civ. 694
Our File: 1412.37

Dear Judge Castel:

We represent the Plaintiff Nippon Express U.S.A. (Illinois), Inc. in connection with the referenced cargo damage matter.

The Court has scheduled an Initial Conference in this matter for May 25, 2006.

As we explained back in March, in fact, the claim by Nippon Express was to protect a potential time bar. Nippon Express is an intermediate cargo carrier. My understanding is that to date few detailed claim documents have not yet been presented to them by the cargo owner and that the cargo owner has not filed a lawsuit. Indeed, we understand that there have been no recent communications by the cargo owner at all.

The hope then is that the underlying cargo claim here will either be withdrawn or resolved amicably, and that this protective lawsuit, for indemnity, and filed as a precaution, will not have to be pursued. In any event, there is little of value to be accomplished at a pre-trial conference in the absence of a detailed claim by the cargo owner.

We are left with no choice but to request that the Court cancel next week's conference and place this matter on its suspense docket for six months, with the option for it to be reopened sooner by letter application. By that time, we are hopeful that all of the cargo claims will either be withdrawn or be resolved amicably.

We thank the Court for its consideration in this matter

Respectfully submitted,

David T. Maloof

cc: **Via Facsimile- 212-344-7285**

Paul M. Keane, Esq.

Chicanowicz Callan Keane Vengrow & Textor
Attorneys for Defendant